

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Ricky Shinabarger,

Plaintiff,

Case No. 13-cv-11744

Hon. Judith E. Levy

v.

Mag. Judge R. Steven Whalen

Commissioner of Social Security,

Defendant.

_____/

**ORDER ADOPTING THE MAGISTRATE JUDGE'S [15] REPORT
AND RECOMMENDATION ON THE CROSS-MOTIONS [8, 13]
FOR SUMMARY JUDGMENT**

This is a Social Security appeal. Before the Court is Magistrate Judge Whalen's Report and Recommendation (Dkt. 15), issued May 30, 2014. Magistrate Judge Whalen recommends that the Court deny plaintiff's Motion for Summary Judgment (Dkt. 8) and grant defendant's Motion for Summary Judgment (Dkt. 13). The parties were required to file specific written objections within 14 days of service of the Report and Recommendation. Fed. R. Civ. P. 72(b)(2); E.D. Mich. L.R. 72.1(d). No objections were filed. Accordingly, upon review of the Report and Recommendation,

The Report and Recommendation is ADOPTED;

Plaintiff's Motion for Summary Judgment (Dkt. 8) is DENIED;

Defendant's Motion for Summary Judgment (Dkt. 13) is GRANTED; and

This case is dismissed.¹

IT IS SO ORDERED.

Dated: September 30, 2014
Ann Arbor, Michigan

/s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on September 30, 2014.

/s/Felicia M. Moses
FELICIA M. MOSES
Case Manager

¹ The parties, by failing to object to the Report and Recommendation, have waived any further right of appeal. *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).